

# Order

Michigan Supreme Court  
Lansing, Michigan

October 13, 2005

Clifford W. Taylor,  
Chief Justice

128141

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

WILLIAM H. GRAHAM,  
Plaintiff-Appellee,

v

SC: 128141  
COA: 257482  
WCAC: 03-000389

FLEX N GATE FORMING TECHNOLOGIES,  
INC., and ROYAL INSURANCE COMPANY  
OF AMERICA,  
Defendants-Appellants.

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On order of the Court, the application for leave to appeal the January 27, 2005 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Worker's Compensation Appellate Commission for consideration of the issue whether there was substantial evidence in support of the magistrate's finding that plaintiff's cervical condition is work-related—an issue that was raised by defendants in their brief to the Commission, but was not addressed by that body. The application for leave to appeal is otherwise DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

We do not retain jurisdiction.



11006

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 13, 2005

*Corbin R. Davis*

Clerk